

**Interagency Agreement**  
**Department of Elementary and Secondary Education (DESE) and**  
**Department of Mental Health (DMH)**  
**For Part C of the Individuals with Disabilities Education Act**

**Review and Renewal of Agreement**

This agreement between the Department of Mental Health (DMH) and Department of Elementary and Secondary Education (DESE) shall be renewed annually, unless one of the parties notifies the other party in writing thirty (30) days before the automatic annual renewal date that revisions are needed or the agency does not wish to renew the agreement. Revisions can be made throughout the year upon agreement of both parties. The agreement is effective upon the signatures of each agency representative.

**Purpose of Agreement**

This agreement concerns the Missouri provision of appropriate early intervention service as defined by state and federal regulations implementing the Individuals with Disabilities Education Act (IDEA), Part C. This agreement is entered into to maximize resources, reduce duplication of services, and provide a statewide system of early intervention services that is coordinated, comprehensive, and multidisciplinary in nature. In Missouri, the statewide system of early intervention services is known as First Steps (FS). This agreement delineates statewide responsibilities of both state agencies and the regional responsibilities of the DESE contracted System Points of Entry (SPOEs) and Department of Mental Health's Regional Centers for Mental Retardation and Developmental Disabilities.

**State Level Agency Responsibilities**

**Department of Elementary and Secondary Education (DESE)**

1. Serve as the lead agency for Part C.
2. Develop and maintain the infrastructure for the First Steps system including:
  - Contracting for the Central Finance Office (CFO).
  - Contracting for System Points of Entry (SPOEs).
  - Developing and implementing the First Steps Child Data System.
  - Developing and implementing the training and credentialing system for early intervention providers and service coordinators.
3. Implement the General Supervision requirements of the Individuals with Disabilities Education Act (IDEA), Part C.
4. Coordinate State Interagency Coordinating Council (SICC) meetings four (4) to six (6) times per year.

**Department of Mental Health (DMH)**

1. Correct any areas of non-compliance found as a result of IDEA Part C monitoring.
2. Employ sufficient staff to provide First Steps service coordination to approximately forty percent of the eligible children in each SPOE region. The forty percent will be based on two percent of the census population for children ages birth to three (3) in each of the counties assigned to the SPOE region.
3. Calculate on an annual basis, if census numbers are available, the target number of children to whom DMH will provide service coordination.



- Services shall not be billed to the CFO for First Steps DMH service coordination.
  - Medicaid will be invoiced for Medicaid eligible children through DMH's existing targeted case management program.
  - Service coordination will be provided to both Medicaid and non-Medicaid eligible children.
4. Assure that DMH service coordinators employed to provide FS service coordination meet the First Steps educational qualifications and credentialing requirements specified in Missouri State Regulations for Part C and are enrolled through the CFO. The cost of training shall not be billed to DMH to meet educational and credentialing requirements.
  5. Implement First Steps procedures developed by the Division of Special Education including use of standard forms and the child data system.
  6. Maintain active participation in the State Interagency Coordinating Council (SICC).
  7. Provide statewide leadership that encourages strong partnerships at the regional and state level to enhance the First Steps system.

### **Regional Responsibilities**

#### **A. Regional Center/SPOE Coordination**

1. Regional Center directors, or their designees, and SPOE directors shall develop a joint plan for implementation of First Steps in the SPOE region. At a minimum, the plan should address regular communication between directors, dispute resolution procedures, service coordinator training, and the process to coordinate the provision and timely assignment of service coordinators.
2. The plan should include a process for DMH to notify the SPOE director of the availability of openings for DMH family service coordination. Such availability/openings shall be based on the requirement that DMH will provide service coordination to approximately forty percent of the children found eligible for First Steps. It is estimated that approximately two percent of the census population ages birth to three (3) may be eligible for First Steps services. Assignments will be made based on the forty percent caseload requirement and on individual DMH service coordinator caseloads at the point in time the plan is developed.

#### **B. SPOE Responsibilities**

1. Employ sufficient staff to provide service coordination for up to sixty percent of the eligible children per current SPOE contract.
2. Conduct all intake and evaluation functions for children referred to the SPOE.
3. Assign a SPOE service coordinator for each child for intake through eligibility determination. After determination of eligibility, but prior to the initial IFSP team meeting, the SPOE shall assign service coordination to a SPOE service coordinator or a DMH service coordinator.
  - The SPOE must assign the family to a SPOE service coordinator, if the DMH service coordinators are determined not available at the time the family is being assigned.
  - If a DMH service coordinator is available, to the extent possible based on the special needs of the child, the SPOE shall give the family a choice between a DMH or SPOE service coordinator. The SPOE shall communicate and educate the family regarding the role of a service coordinator in the First Steps system and shall provide assistance to the family in making an informed choice.



4. Develop the initial IFSP:
  - The SPOE service coordinator shall work with the family to develop an initial IFSP team.
  - By no later than forty-five (45) calendar days after the child's referral, the SPOE shall facilitate the initial IFSP team meeting to initiate development of the IFSP in accordance with the requirements for the IFSP specified in the Missouri state regulations for implementing Part C of IDEA.
  - The SPOE shall provide written notification of the IFSP team meeting to all team members a minimum of ten (10) calendar days in advance of the meeting to ensure that all members will be able to attend. However, the IFSP team meeting shall not be delayed if a team member cannot be physically present as long as a telephone conference call involving necessary and appropriate team members can be arranged.
  - In the event an IFSP meeting is required in which the ten (10) calendar day advance notice cannot be given, the SPOE shall personally contact each member of the IFSP team providing notification and the reason for the short notification of the IFSP meeting. Notification with less than ten (10) calendar days prior notice should be the exception.
  - The SPOE service coordinator shall facilitate, monitor, and supervise the initial IFSP team meeting(s) and is considered the offeror of services for purposes of the First Steps system.
  - The SPOE service coordinator shall inform the family, at the time of the IFSP meeting, that a copy of the IFSP will be provided to the family, if requested. If the family requests a copy at that time, or at any other time, the contractor must provide a copy by no later than twenty (20) calendar days of the request.
5. Train DMH service coordinators along with SPOE service coordinators regarding:
  - First Steps philosophy.
  - Responsibilities of service coordination and procedural requirements for the First Steps system including IFSP Quality Indicators Rating Scale.
  - Identification of issues that adversely impact the First Steps system including resolutions.
  - Implementation of federal and state regulations for Part C of IDEA.
  - Correction of compliance concerns.
  - Information provided to the field from the state agency and the CFO.
6. Share monthly data system reports with the regional center director to enhance the effectiveness and efficiency of the First Steps system. At a minimum, the data system reports will include the authorization levels of Early Intervention (EI) services and the costs of EI services by the service coordinator.
7. Provide direct assistance to IFSP teams in the selection and purchase of specific assistive technology (AT) services and devices. This includes the determination of specific brand names and the construction and/or modification of certain AT devices or use of previously used equipment. Using the First Steps policies related to assistive technology purchases, the SPOE shall place all AT orders with enrolled AT providers and shall process all paperwork associated with the purchase. All payment requests for AT equipment sent to the CFO require that a SPOE approved invoice be attached to the request for payment.
8. Develop and maintain a system for collection, storage, inventory procedures; and, if determined appropriate, redistribution of used AT equipment purchased by the First



Steps system and no longer needed for the child. This includes AT used by children who are service coordinated by DMH service coordinators.

9. Identify peer reviewers to conduct all evaluations and provide technical assistance to SPOE and DMH service coordinators.
  - Identify the peer reviewers for assessment or designated representative(s) from such team.
  - Assign peer reviewers as requested for technical assistance by DMH/SPOE service coordinators.
  - Arrange for evaluations requested by DMH/SPOE service coordinators.
  - This could include IFSP development, intensity/frequency and type of services, and regular "quality control"/oversight of the evaluation and IFSP process.
10. Identify members and coordinate meetings for the Regional Interagency Coordinating Council (RICC).

#### **C. DMH Regional Centers Responsibilities**

1. Notify the SPOE director of the availability of openings for DMH service coordinators via monthly report.
2. Provide release time for DMH First Steps service coordinators to attend trainings/meetings sponsored by the SPOE.
3. Implement services based on the First Steps philosophy.
4. Assign staff to participate in the RICC.
5. Assist the SPOE with child find activities by promoting child find activities and making referrals to First Steps system.
6. Assist the SPOE in recruiting providers for the First Steps system.
7. Recover and return to the SPOE all AT equipment purchased by the First Steps system per direction of DESE.
8. Notify the SPOE when a child is in need of an educational surrogate.
9. Request services of the peer reviewers for evaluations and service consultation through the SPOE.
10. Transmit records to the SPOE for the original official EI record. DMH service coordinators may retain a working file in their office.

#### **D. SPOE/DMH Service Coordinator Responsibilities**

1. Educate the family about the philosophy and beliefs of the Missouri First Steps system, including the distinction between the medical model (therapy as the focal point) and the family oriented/family capacity building model.
2. Advise and fully educate the family, in the family's native language or other mode of communication (including in writing), about the family's procedural safeguards related to implementation of the IFSP.
3. Obtain written consent for the evaluation/assessment of the child and family and for the initiation of early intervention services included in the IFSP.
4. Assist the family in locating service providers within the region for identified IFSP activities and services using the service provider matrix.
5. Facilitate, monitor, and supervise all future IFSP team meetings for the child/family, including an annual IFSP review which will occur within 365 calendar days of the date of the initial IFSP team meeting or most recent annual IFSP team meeting. Also, service coordinators will arrange and participate in all other IFSP team meetings required by regulation or as indicated based on the needs of the child and family.



- Service coordinators shall utilize the peer reviewers who served on the assessment/evaluation team as a part of succeeding IFSP meetings, as necessary, and shall also use the team for additional guidance.
  - Provide written notification of all future IFSP team meetings after the initial meeting to all team members a minimum of ten (10) calendar days in advance of the meeting to ensure that all members will be able to attend. However, the IFSP team meeting shall not be delayed if an individual cannot be physically present as long as a telephone conference call involving the necessary and appropriate team members can be made.
  - In the event an IFSP meeting is required in which the ten (10) calendar day advance notice cannot be given, the service coordinator shall personally contact each member of the IFSP team providing notification and the reason for the short notification of the IFSP meeting. Notification with less than ten (10) calendar days prior notice should be the exception.
6. Enter all necessary data and records into the current child data system and maintain a hard copy paper file record for each child at the SPOE central office. Such data shall include, but not necessarily be limited to: information regarding annual IFSP reviews, changes to the IFSP, changes to demographic information for children/families, IFSP meeting notifications, prior written notices, etc.
  7. Arrange for a transition meeting for each child receiving First Steps services by the time the child reaches age two (2) years six (6) months. With parental consent, this transition meeting must include representatives of the child's local school district. For children ages two and a half (2½) and above transitioning into the local school district's early childhood special education program at age three (3), the service coordinator shall invite representatives from the district to participate in all IFSP team meetings and decisions regarding current services, including the transfer of assistive technology devices purchased through the First Steps system.
    - Family or service provider requests that would result in significant changes to a child's IFSP occurring after two (2) years nine (9) months, such as a substantial increase in services or new requirements for assistive technology must be addressed by the IFSP team. The SPOE shall invite a representative of the child's school, if the child is eligible for Early Childhood Special Education, and/or appropriate members of the assessment/evaluation team.
  8. Authorize services in the data system in a timely manner.
  9. Complete progress notes in a timely manner for eligible children on caseload.
  10. Participate in monitoring activities as requested by the Division of Special Education.
  11. Cooperate with the investigation of child complaints as requested by the Division of Special Education.

### **Resolution of Intragency and Interagency Disputes**

#### **Intragency**

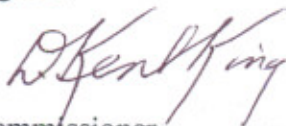
1. The DESE may resolve its own internal disputes through their own internal dispute resolution procedures regarding SPOEs and the First Steps system, as long as it acts in a timely manner.
2. The DMH may resolve its own internal disputes through their own internal dispute resolution procedures regarding Regional Centers and the First Steps system, as long as it acts in a timely manner.

### Interagency

1. In the event that the Regional Centers and SPOEs should be unable to resolve any regional disputes in a timely manner, the DESE will use the following procedures. Staff in each agency's central office shall review the nature of the dispute and attempt a resolution. In the event that resolution is unsuccessful, the MRDD Division Director and the Assistant Commissioner for Special Education will resolve any outstanding disputes, if that resolution is unsuccessful; the Director of DMH and the Commissioner of DESE will render a decision. If the two agencies cannot resolve the issue, the parties involved may refer the dispute to the Governor for a final decision.
2. If the dispute is in regard to fiscal responsibility, the MRDD Division Director and the Assistant Commissioner for Special Education will review the dispute and formulate a recommendation for the Commissioner of DESE and the Director of DMH who will render a decision. Their decision will
  - a. assign the fiscal responsibility to the appropriate agency, and
  - b. make arrangements for reimbursement of any expenditures incurred by the agency originally assigned responsibility. In the event the decision is not satisfactory, the review process shall include referring the dispute to the Governor, and implementing the procedures to ensure that services are provided to eligible children and their families in a timely manner, pending resolution of disputes among public agencies or service providers.


For the state of Missouri

Signed:



Commissioner,  
Department of Elementary and Secondary Education

Date: 3-24-05



Director,  
Department of Mental Health

Date: 3/15/05